

Applicant: Gaines Thomas Ray, et al.
Serial No. 10/659,546

REMARKS

Claims 1-35 are pending herein.

Claims 1-5, 8-33 and 35 are withdrawn from consideration.

Claims 6, 7 and 34 are rejected.

Claims 6 and 34 are currently amended.

The specification and drawings have been amended to clarify the original disclosure. No new matter has been added.

In the Drawings

Additional reference numerals have been added to Figure 2 of the drawings to clarify the subject matter in the original disclosure. The additions to the drawings are described in the specification as amended. A replacement drawing sheet incorporating the reference numeral additions to drawing Figure 2 is submitted with the present response and is accompanied by a copy of the changes shown in red, in accordance with 37 CFR 1.121(d). No new matter has been added to the original disclosure as filed, since the additions to the drawings are supported by the drawings and written description of the original disclosure.

In the Specification

In a telephone conversation with the Examiner on March 13, 2006, the Examiner indicated that the amendments which were made to Figures 3A, 3B and 3C of the

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drawings and to paragraphs [0025], [0027] and [0030] in the specification and were filed on 10/14/05 have been entered into the record.

In the present response, it will be noted that paragraph [0027] of the specification has again been amended, relative to the amended version filed on 10/14/05, to clarify the original disclosure and the drawing additions of Figure 2. No new matter has been added to the disclosure as filed, since the amendments are supported by the drawings and written description of the original disclosure as filed.

Response to 2/13/06 Office action

In the Office action dated February 13, 2006, it was stated that the reply filed on October 14, 2005 is not fully responsive to the prior Office action because Applicant selected the cartridge species represented in Figures 1-7 and original Figures 1-7 did not show the species of the cartridge being fully formed with the spray tip body. It was stated that any claims reciting the spray tip exit, hose attachment nipple or any structure not part of the elected cartridge species are drawn to non-elected species and have been withdrawn from consideration.

In the present response, it will be noted that claims 6, 7 and 34 recite the cartridge, without the spray tip exit, hose attachment nipple or any structure which is not part of the elected cartridge species of Figures 1-7. Therefore, entry of the amendments to the claims and examination of the amended claims is respectfully solicited.

The remainder of the present response is made in reply to the Office action dated July 12, 2005.

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Claim rejections under 35 USC 102

Claims 6, 7 and 34 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,174,068 to Rudolph.

It is respectfully submitted that Rudolph fails to anticipate amended claim 6, claim 7 as dependent from amended claim 6, and claim 34 under 35 U.S.C. 102(b).

Rudolph fails to disclose invention of claims 6 and 7

It is respectfully submitted that Rudolph fails to anticipate amended claim 6, and claim 7 as dependent therefrom, since Rudolph fails to disclose a cartridge comprising “a nozzle having a tapered nozzle tip apex disposed at one end of the cartridge; a nozzle tip *having a tapered nozzle tip interior complementary in shape to said nozzle* and *adjustably engaging said nozzle* and having an orifice; wherein *said nozzle apex of said nozzle is adapted to extend completely through said orifice of said nozzle tip when said nozzle tip engages said cartridge and said orifice is adjustable in size by threading said nozzle tip on said nozzle ...*”, as set forth in amended claim 6, and therefore, defined by claim 7 as dependent from amended claim 6.

In contrast, in the Rudolph device, the nozzle apex of the nozzle (14) is incapable of extending completely through the orifice (34) of the nozzle tip (33). Furthermore, the nozzle tip (33) adjustably engages a housing (31) containing the nozzle (14), rather than the nozzle (14) itself.

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Therefore, it is respectfully submitted that Rudolph fails to anticipate claims 6 and 7 under 35 U.S.C. 102(b). Reconsideration and allowance of claims 6 and 7 is respectfully solicited.

Rudolph fails to disclose invention of claim 34

It is respectfully submitted that Rudolph fails to anticipate amended claim 34 since Rudolph fails to disclose a cartridge comprising “a nozzle having a tapered nozzle apex disposed at one end of the cartridge; *a plurality of nozzle threads provided on said nozzle*; a nozzle tip having a tapered nozzle tip interior complementary in shape to said nozzle and having an orifice; *a plurality of nozzle threads provided on said nozzle tip and engaging said plurality of nozzle threads of said nozzle*; wherein said nozzle apex of said nozzle is *adapted to extend completely through said orifice of said nozzle tip* when said nozzle tip engages said cartridge and said orifice is adjustable in size by threading said nozzle tip on said nozzle”, as set forth in amended claim 34.

In the Rudolph device, the nozzle apex of the nozzle (14) is incapable of extending completely through the orifice (34) of the nozzle tip (33). Furthermore, the nozzle tip (33) threadably engages a housing (31) containing the nozzle (14), rather than the nozzle (14) itself.

Therefore, it is respectfully submitted that Rudolph fails to anticipate claims 34 under 35 U.S.C. 102(b). Reconsideration and allowance of claim 34 under 35 U.S.C. 102(b) is respectfully solicited.

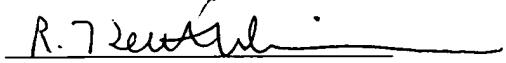
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Conclusion

Every effort has been made to amend applicant's claims in order to define the invention in the scope to which it is entitled. Accordingly, allowance of claims 6, 7 and 34 is respectfully solicited.

Respectfully submitted,


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March 13, 2006

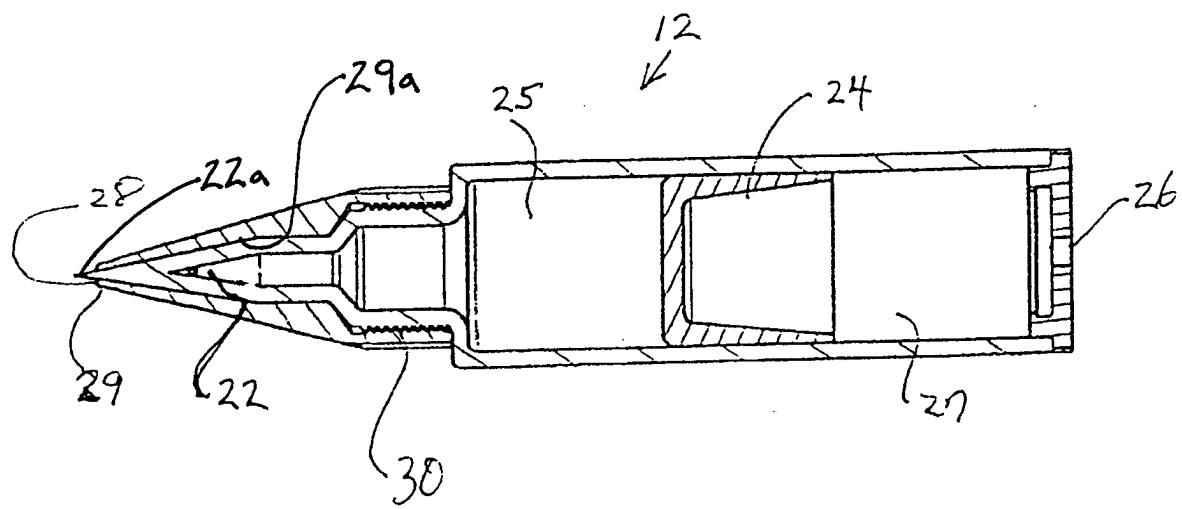


FIG. 2